

**AMENDMENT TO OIL AND GAS LEASE**  
(To Correct Land Description)

**Notice of Confidentiality Rights:** If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: Your social security number or your driver's license number.

**STATE OF TEXAS**

**COUNTY OF TARRANT**

**LESSOR:** Aloha L. Peden  
4017 Hemlock Street  
Fort Worth, Texas 76137

**LESSEE:** Finley Resources, Inc.  
1308 Lake Street  
Fort Worth, Texas 76102

**Effective Date:** December 9, 2005

Lessee, named above, and XTO Energy Inc., are the present owners of an Oil and Gas Lease (the "Lease"), dated December 9, 2005, from Lessor, named above, which Lease is recorded in D206020252 of the Official Public Records of the county and state named above. Finley Resources, Inc. made a partial assignment of this lease to XTO Energy Inc. in Partial Assignment of Oil, Gas and Mineral Leases dated April 29, 2008, recorded in Instrument Number D208170280, Official Public Records of the county and state named above.

At the time the Lease was entered into, the description of the lands contained in the Lease was believed by Lessor and Lessee to cover, and was intended by them to cover, certain lands owned by Lessor.

Since the execution, delivery, and recording of the Lease, it has been discovered that the description of lands contained in the Lease does not adequately describe the lands Lessor and Lessee intended to be covered by the Lease. Lessor and Lessee desire to amend and correct the description of the lands contained in the Lease to accurately identify the lands to be covered by and subject to the terms of the Lease.

For adequate consideration, and the further consideration of the obligations and agreements contained in the Lease, Lessor acknowledges and agrees that the Lease shall cover, and the Lease is amended, so that it now covers the following lands in the county and state named above:

Being all of Lot 23R, Block 2, Lake Worth Leases, an addition to the City of Fort Worth, Tarrant County, Texas, as shown by plat thereof recorded at Cabinet A, Slide 5516, Plat Records of Tarrant County, Texas, containing 0.3216 acres, more or less.

Lessor ratifies, adopts, and confirms the Lease and extends the Lease to cover the lands described in this Amendment as if the description of lands set out above had been originally included in the Lease. Lessor grants, leases, and lets to Lessee, its successors and assigns, the lands described in this Amendment for the purposes of and on the terms, conditions, and provisions contained in the Lease.

This Amendment shall be binding for all purposes on Lessor and Lessor's successors, heirs and assigns.

This Amendment is signed by Lessor and Lessee as of the date of the acknowledgment of their signatures below, but is effective for all purposes as of the Effective Date stated above.

**LESSOR:**

Aloha L. Peden

Aloha L. Peden

**CURRENT LESSEE:**

Finley Resources, Inc.

By: Clinton H. Koerth

Printed Name: Clinton H. Koerth  
Title: VP of Land & Acquisition

Title: \_\_\_\_\_

**CURRENT LESSEE:**

XTO Energy Inc.

By: Edwin S. Ryan Jr.

Edwin S. Ryan Jr.  
Sr. Vice President – Land Administration

THE STATE OF TEXAS

COUNTY OF TARRANT

Before me, the undersigned authority, on this day personally appeared Aloha L. Peden known to me to be the identical person whose name subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 27 day of February, 2009.

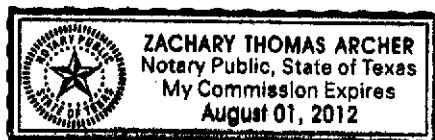


Clinton H. Koerth  
Notary Public, State of Texas

THE STATE OF TEXAS

COUNTY OF TARRANT

This instrument was acknowledged before me on the 5<sup>th</sup> day of May, 2009, by Clinton H. Koerth, Vice President of FINLEY RESOURCES, INC., on behalf of said corporation.



Clinton H. Koerth  
Notary Public, State of Texas

THE STATE OF TEXAS

COUNTY OF TARRANT

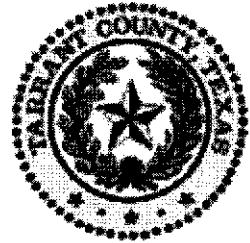
This instrument was acknowledged before me on the 19<sup>th</sup> day of May, 2009, by Edwin S. Ryan, Jr., Sr. VP Land Administration of XTO ENERGY INC, on behalf of said corporation.



Charla F. Wilkes  
Notary Public, State of Texas

Return To:

Kim Hanks  
9104 Bluegrass Dr.  
Austin, TX 78759



XTO ENERGY INC LAND DEPT  
810 HOUSTON ST

FT WORTH TX 76102

Submitter: XTO ENERGY INC

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SUZANNE HENDERSON  
TARRANT COUNTY CLERK  
TARRANT COUNTY COURTHOUSE  
100 WEST WEATHERFORD  
FORT WORTH, TX 76196-0401

**DO NOT DESTROY**  
**WARNING - THIS IS PART OF THE OFFICIAL RECORD.**

Filed For Registration: 05/22/2009 02:13 PM  
Instrument #: D209137678  
OPR 3 PGS \$20.00

By: \_\_\_\_\_



**D209137678**

**ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL OR USE  
OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR  
RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.**

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